IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 11TH SEPTEMBER 2007 / 20TH BHADRA 1929

WP(C).No. 15589 of 2007(E)

PETITIONER:

C.ABDUL RAHIM, CHUTHANTAKATH,
S/O.AHAMED BAVUTY, PROPRIETOR, NADAKAVU TRADERS,
THIRUR ROAD, THANUR.

BY ADV. SRI.M.S.UNNIKRISHNAN

RESPONDENTS:
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1. CIRCLE INSPECTOR OF POLICE, THANUR.

2. SUB INSPECTOR OF POLICE,
THANUR.

3. ASSISTANT LABOUR OFFICER,
TIRURANGADI.

4. GOPALAN,
CHIRAKKAL HOUSE, THANUR P.O.,
MALAPPURAM DISTRICT 676302.

5. SATHYAN, S/O KORAN,
VADAKKUMPATTU HOUSE, NEAR PANDARAVALAPPU TEMPLE,
P.O.K.PURAM, THANALUR, MALAPPURAM.

BY ADV. SRI.N.NAGARESH
GOVT. PLEADER SRI.SALIM P.A.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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APPENDIX

PETITIONER'S EXHIBITS

Ext.P1: True copy of the licence issued on 15/6/2004 enabling the petitioner to conduct the business in the name and style Nadakkavu Traders.

Ext.P2: True copy of the certificate of registration No.32/2A 0499 issued to the petitioner.

Ext.P3: True copy of the registration certificate issued to the petitioner by the third respondent

Ext.P4: True copy of the identity card issued to the petitioner in respect of his worker N.P.Rahim

Ext.P5: True copy of the identity card issued to the petitioner in respect of his worker A.M.Navas.

Ext.P6: True copy of the Copy of the petition dated 21.5.2007 filed before the 2nd respondent

Ext.P7: True copy of the copy of the petition filed before the 1st respondent on 22/5/2007.

RESPODNENTS' EXHIBITS

Ext.R4(a): True copies of Form C Idenitity Cards issued by the Kerala Head load Workers Board to some of the workers.

Ext.R4(b): True copy of the appeal dated 21.5.2007 submited to the DLO Malappuram

Ext.R4(c): True copy of letter dated 21.5.2007 submitted to the KHWW Board

//True copy//

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K.BALAKRISHNAN NAIR & T.R.RAMACHANDRAN NAIR, JJ.

Writ Petition (C) No.15589 of 2007-E

Judgment

Balakrishnan Nair, J.

This Court has already passed an interim order on 24.05.2007, which reads as follows :

> *"Interim relief as prayed for is granted, provided, there is no civil dispute and loadng and unloading work is carried on only by the petitioner himself or by the headload workers mentioned in Exts.P4 and P5 (ID Cards)."*

The learned counsel for respondents 4 and 5 pointed out that ID cards were issued to the workmen of the petitioner, without holding any proper enquiry and appeals are pending against them before the District Labour Officer. Having regard to the facts of the case, the Writ Petition is disposed of making the above quoted interim order absolute and without prejudice to the rights of the affected persons to pursue the appeals filed against the ID cards issued to the workmen of the petitioner. It is clarified that the interim order will remain force

only as long as the ID cards issued in favour of the wrokmen of the petitioner remain in force.

K.BALAKRISHNAN NAIR,JUDGE

11.09.2007 **T.R.RAMACHANDRAN NAIR, JUDGE**

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